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June 8, 2023

So ordered. The parties shall submit a joint status report within seven days of the mediation.

VIA ECF AND FAX

/s/ Alvin Hellerstein

U.S.D.J.

June 8, 2023

Hon. Alvin K. Hellerstein, S.U.S.D.J.
Southern District of New York
United States Courthouse, Room 1050
500 Pearl St., New York, NY 10007
Fax: 212-805-7942

Re: *Lawrence Czarnionka v. The Epoch Times Association, Inc.*
S.D.N.Y. Case No. 1:22-cv-06348-AKH

Notice of Mediation and Request to Hold Motion in Abeyance

Dear Judge Hellerstein:

We represent the Defendant in the above-captioned action and write to inform the Court that the parties have set a mediation with the Honorable Frank Maas (Ret.) to be held on July 6, 2023. The parties agreed to mediate after entering into good faith settlement negotiations and believe the mediation will advance resolution of this action.

In light of the scheduled mediation, and to maintain the litigation status quo pending the result of the mediation, Defendant requests the Court hold in abeyance Defendant's Motion for Judgment on the Pleadings ("MJOP").¹ Plaintiff consents to this request.

The parties propose that within seven (7) days of the mediation (i.e., by July 13, 2023), they report to the Court on the outcome of the mediation.

Defendant respectfully posits the mediation, if successful, will lead to the conservation of litigation resources for the Parties and generate efficiencies for this Court in managing its docket.

¹ Defendant filed the MJOP on April 27, 2023 (Dkt. 53; Dkt. 54), Plaintiff opposed on May 10, 2023 (Dkt. 56), and Defendant replied in support of on May 26, 2023 (Dkt. 61). Argument has not been set on the MJOP.

Thank you for your consideration and attention to this matter.

Sincerely,

/s/ Brian Pete

Brian Pete of
LEWIS BRISBOIS BISGAARD & SMITH LLP

cc: All counsel of record (via ECF)